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DETAILED ACTION

1. In response to an Examiner Initiated Interview on 21 March 2008. Claims 1-9 have been cancelled. Claims 10-20 are allowed.

2. An examiner's amendment to the record is attached. Please enter entire claim set. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. The examiner's amendment was authorized by attorney of record Brian Epstein in phone interview on 21 March 2008.

Rationale for Examiner's Amendment

3 This previously allowed application was flagged by a review team due to a 112, second paragraph error. As indicated by MPEP 2173.05(p)[R-5] Claim Directed to Product-By-Process or Product and Process.

Allowable Subject Matter

4. Claims 10-20 are allowed.

Conclusion

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ellen C Tran whose telephone number is (571) 272-3842. The examiner can normally be reached from 7:30 am to 4:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on (571) 272-3811. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/ELLEN TRAN/

Primary Examiner,
Art Unit 2134 - 24 March 2008

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Examiner's Amendment

This listing of the claims will replace all prior versions and listings of the claims in the application:

Listing of Claims:

Claims 1-9 (Canceled)

10. (Currently Amended): A method, comprising:

accumulating information for sale;

generating usage conditions for said information for sale in response to a purchase selection of said information for sale;

encrypting said purchase selection;

generating a cryptographic key which decrypts said ~~information for sale~~ purchase selection which is encrypted;

writing said purchase selection to a portable recording medium upon authentication along with said usage conditions for ~~said~~ a license management capability and said cryptographic key, and

determining, based on a cross-authentication signal supplied from the writing, whether or not said portable recording medium is capable of supporting ~~[[a]]~~ said license management capability for reproducing said purchase selection in accordance with ~~the~~ said usage conditions prior to writing a purchase selection thereto, said portable recording medium directly or indirectly loaded on an apparatus, wherein

the cross-authentication signal is a challenge response to a previously recorded key ID on ~~[[the]]~~ said portable ~~recorded~~ recording medium, and said portable recording medium is a

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memory device configured to be loaded to a player device for reproduction of [[the]] said information for sale.

11. (Currently Amended): The method according to claim 10, further comprising:

communicating with a reproduction unit for reproducing said purchase selection recorded on said portable recording medium, wherein

in said ~~authentication~~ determining, said reproduction unit is further authenticated when in said ~~communication~~ communicating said reproduction unit is communicated, and

in said writing, said encrypted information for sale along with said usage conditions and said cryptographic key are written to said portable recording medium through said reproduction unit.

12. (Currently Amended): The method according to claim 11, wherein said reproduction unit is a portable device and said portable recording medium is detachably loaded on said portable device.

13. (Currently Amended): The method according to claim 11, wherein in said ~~communication~~ communicating, said reproduction unit which reproduces said purchase selection recorded on said portable recording medium integrally disposed on said reproduction unit is communicated, and

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in said writing, said purchase selection along with said usage conditions and said cryptographic key are written to said portable recording medium integrally disposed on said reproduction unit.

14. (Currently Amended): The method according to claim 13, wherein said reproduction unit is a portable device and said ~~storage~~ portable recording medium is fixedly and integrally arranged on said portable device.

15. (Currently Amended): The method according to claim 10, further comprising:
receiving said information for sale supplied through a predetermined transmission path,
wherein in said ~~accumulation~~ accumulating, said information for sale received by said receiving ~~[[means]]~~ is accumulated.

16. (Currently Amended): The method according to claim 15,
wherein said predetermined transmission path is the Internet, said information for sale is supplied via the Internet to a server unit, and said information for sale is received from said server unit to be stored in said ~~accumulation~~ accumulating.

17. (Currently Amended): The method according to claim 10, wherein in said generating usage conditions ~~condition-generating~~, said usage conditions which are employed by ~~[[said]]~~ a reproduction unit which reproduces said purchase selection recorded on said portable recording medium are generated; and

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in said ~~encryption~~ encrypting, said purchase selection is accessed by use of an algorithm which allows said reproduction unit to decrypt said purchase selection.

18. (Previously Amended): The method according to claim 10, wherein said information for sale includes at least one of program, voice, music, still picture, moving picture, and text data.

19. (Currently Amended): A program storage medium for storing a computer-readable program, said program causing a computer to implement a method comprising:

accumulating information for sale;

generating usage conditions for said information for sale in response to a purchase selection of ~~[[the]]~~ said information for sale;

encrypting said purchase selection;

generating a cryptographic key which decrypts said purchase selection which is encrypted;

writing said purchase ~~information~~ selection to a portable recording medium upon authentication along with said usage conditions for ~~[[said]]~~ a license management capability and said cryptographic key; and

determining, based on a cross-authentication signal supplied from the writing, whether or not said portable recording medium is capable of supporting ~~[[a]]~~ said license management capability for reproducing said purchase selection in accordance with ~~[[the]]~~ said usage conditions prior to writing a purchase selection thereto, said portable recording medium directly or indirectly loaded on an apparatus, wherein

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the cross-authentication signal is a challenge response to a previously recorded key ID on [[the]] said portable ~~recorded~~ recording medium, and said portable recording medium is a memory device configured to be loaded to a player device for reproduction of [[the]] said information for sale.

20. (Currently Amended): An apparatus, comprising:

- an accumulation unit configured to accumulate information for sale;
- a usage condition generating unit configured to provide usage conditions for said information for sale in response to a purchase selection of said information for sale;
- an encryption unit configured to encrypt said purchase selection;
- an encryption key generating unit configured to generate a cryptographic key which decrypts said purchase selection;
- a writing unit configured to write said purchase selection to a portable recording medium along with said usage conditions for [[said]] a license management capability and said cryptographic key upon authentication; and
- a determining unit configured to determine, based on a cross-authentication signal supplied from the writing unit, whether or not said portable recording medium is capable of supporting [[a]] said license management capability for reproducing said purchase selection in accordance with [[the]] said usage conditions prior to writing a purchase selection thereto, said portable recording medium directly or indirectly loaded on said apparatus, wherein

the cross-authentication signal is a challenge response to a previously recorded key ID on [[the]] said portable ~~recorded~~ recording medium, and said portable recording medium is a

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memory device configured to be loaded to a player device for reproduction of the information for sale.

/ELLEN TRAN/

Primary Examiner, Art Unit 2134